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NOTES

The Assured Clear Distance Ahead Rule in Ohio

IN OHIO, when an automobile collides with an obstruction on the highway it becomes important to determine whether the driver was exceeding a speed which would have permitted him to stop within his assured clear distance ahead.¹ This issue must be determined since Section 4511 of the Ohio Revised Code (Ohio General Code Section 6307-21) provides:

no person shall drive any motor vehicle upon any street or highway at a greater speed than will permit him to stop within the assured clear distance ahead.²

Prior to the passage of Section 6307-21, in order to avoid liability for negligence, a motorist who was involved in a collision was only required

¹ Erdman v. Mestrovich, 155 Ohio St. 85, 97 N.E.2d 674 (1951); Smiley v. Spring Bed Co., 138 Ohio St. 81, 33 N.E.2d 3 (1941); State v. Cheatwood, 84 Ohio App. 125, 82 N.E.2d 770 (1948). These courts have held that the assured clear distance ahead is measured by the shorter of the two following distances: (1) the distance between the operator's vehicle and the limit of his vision ahead, or (2) the distance between his vehicle and any intermediate discernible object which constitutes an obstruction in his path or lane of travel.

² OHIO REV. CODE § 4511.21 (OHIO GEN. CODE § 6307-21.) This statute not only sets out the assured clear distance ahead rule but also states the general speed limit in Ohio which is a speed that is reasonable and proper in view of the conditions prevalent upon the highway.